

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

DAVID ADAMS #462766,

Plaintiff,

Case No. 2:23-cv-186

v.

HONORABLE PAUL L. MALONEY

NATE HOFFMAN, et al.,

Defendants.

/

ORDER ADOPTING REPORT AND RECOMMENDATION

This is a prisoner civil rights action filed pursuant to 42 U.S.C. § 1983. Defendants Hebert, Hoffman, Mattila, Smith, and Watt filed a motion for summary judgment. The matter was referred to the Magistrate Judge, who issued a Report and Recommendation on November 6, 2024, recommending that this Court grant the motion and decline to exercise supplemental jurisdiction over the state law claims. The Report and Recommendation was duly served on the parties. No objections have been filed. *See* 28 U.S.C. § 636(b)(1). Therefore,

IT IS HEREBY ORDERED that the Report and Recommendation (ECF No. 31) is APPROVED and ADOPTED as the Opinion of the Court.

IT IS FURTHER ORDERED that the Motion for Summary Judgment (ECF No. 23) is GRANTED. Plaintiff's claims under the First, Eighth, and Fourteenth Amendments, as well as his claims arising from MDOC policy, and state law are DISMISSED.

IT IS FURTHER ORDERED that this Court declines to exercise supplemental jurisdiction over the state law claims.

IT IS FURTHER ORDERED that this Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that an appeal of this decision would not be taken in good faith. See *McGore v. Wrigglesworth*, 114 F.3d 601, 610-11 (6th Cir. 1997), overruled on other grounds by *Jones v. Bock*, 549 U.S. 199, 206, 211-12 (2007).

A Judgment will be entered consistent with this Order.

Dated: December 5, 2024

/s/ Paul L. Maloney
Paul L. Maloney
United States District Judge